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SUBJECT: SE GRATION MEETS HEAD OF CENTER FOR STRATEGIC STUDIES

REF: KHARTOUM 262

CLASSIFIED BY: Robert E. Whitehead, CDA; REASON: 1.4(B), (D)

¶1. (C) Summary: In a February 20 meeting, the Head of the Center for Strategic Studies Sayeed el-Khatib told U.S. Special Envoy Gration and Charge d'Affaires that recent discussions in Juba were fruitful and should help facilitate a planned meeting between Presidents Bashir and Kiir. He said a high level National Congress Party (NCP) delegation and Government of Southern Sudan (GOSS) leadership discussed outstanding issues related to additional seat allocations in the National Assembly; nominations for chairman positions for three important commissions; and North-South border demarcation. El-Khatib responded to queries regarding certain post-2011 issues, such as citizenship, wealth-sharing, and national debt. End Summary.

Additional Seats for the South

¶2. (C) On February 20, Sayeed el-Khatib, NCP member and Head of the Center for Strategic Studies briefed SE Gration on discussions held a week ago in Juba. El-Khatib said the NCP delegation met with GOSS Vice President Riek Machar, Sudan People's Liberation Movement (SPLM) Secretary General Pagan Amum, and others. According to El-Khatib, the NCP put forward an offer to increase to 34 the additional number of seats for the South in the National Assembly. The NCP had previously offered 24, while the SPLM wanted 40. Sayeed viewed this as a good compromise. The NCP proposal also included four additional seats at the national level for Southern Kordofan and two for Abyei. He was confident the Presidency would reach a resolution on this issue.

Unfilled Chairman Slots for Three Commissions

¶3. (C) El-Khatib noted that the two sides discussed names for unfilled chairman positions on the Southern Sudan Referendum Commission, the Abyei Referendum Commission and the National Human Rights Commission. For the Southern Sudan Referendum Commission, he said the NCP put forward a well-respected, former attorney general. GOSS accepted the name and reciprocated with a mutually agreeable

deputy chairman name of SPLM choosing. The National Assembly must be recalled into a brief session to approve the member appointments once completed. For the Abyei Referendum Commission, El-Khatib said the SPLM presented a list of names and although no decision was reached in Juba, it looks as if one name may be agreeable to the NCP. (Note: The SPLM name was later rejected by the NCP. End Note.) However, he cautioned that any person selected would have to be accepted by the Misseriya. On the third unfilled chairman position on the National Human Rights Commission, El-Khatib called SPLM's proffered candidates "not palatable" to the NCP. He said they were not professional enough or lacked the human rights expertise necessary for the position. The chairman of the Human Rights Commission, he further noted, needs to be in place prior to elections. (Note: The National Human Rights Commission Act was enacted on May 31, 2009. End Note.)

North-South Border Demarcation

¶4. (C) The North-South border demarcation committee has completed

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its report and, according to El-Khatib, there are only four remaining ambiguous areas. He noted that one of those areas (Kafiakingi/Hofri-en-Nahas area of South Darfur) is, admittedly, in Southern Sudan and is the most straightforward of the areas. He claimed the NCP will "not make a fuss" of it. El-Khatib said the GOSS wants the President to direct border demarcation begin on undisputed land and further, to issue a directive on the four unresolved areas. He also said the NCP delegation is recommending to President Bashir that Sudan should approach the U.S. for more technical assistance to further the demarcation process. (Note: Both Vice President Taha and Vice President Machar later agreed that technical assistance would be useful and the Special Envoy's office is working to deploy a previously-identified demarcation expert to assist. End Note.)

Post-Referendum Issues

¶5. (C) With regard to post-referendum topics, El-Khatib said the NCP is so far comfortable with the wealth-sharing discussions with the GOSS. He does not see Southern Sudan as having viable alternatives to utilizing northern pipelines to export oil. He claimed the NCP is willing to reach agreements on wealth-sharing issues and to work on economic issues with the GOSS to ensure that neither side's economic underpinning is harmed.

¶6. (C) El-Khatib agreed that citizenship may not be easy to resolve and admitted that the two parties may need help in this regard. According to El-Khatib, the NCP does not want to be put in the position to forcibly transfer out of Northern Sudan people who do not want to leave. He speculated that in the event of secession, those southerners who opt to remain in the north could be granted dual citizenship or Northern Sudanese citizenship if, he continued, it would be a small number and therefore pose little threat to the NCP. He cautioned that citizenship is a topic that needs dialogue from both the GOS and GOSS. Party tactics, he added, will only

serve to waste time and could prove dangerous.

¶7. (C) In the event of secession El-Khatib said another subject that could be difficult to negotiate will be the national debt. Although, he thinks a formula can be agreed upon by both sides, he predicts that it will require a division of assets. The NCP expectation, however, is that if the South votes for independence, their foreign debt will be forgiven, so he acknowledged with a smile that it may be a good idea to let them take as much debt as possible.

¶8. (C) Comment. El-Khatib noted at one point that the status of the oil rich area around Heglig had "been resolved"; in a later meeting, the SPLM's Luka Biong stated that it had not. End Comment.

¶9. (U) This cable has been cleared by the Office of the Special Envoy to Sudan.

WHITEHEAD